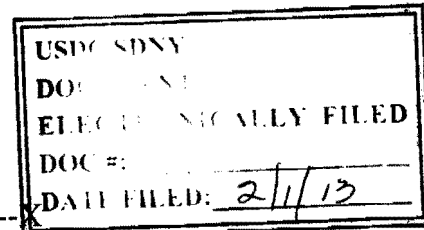


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



LEONIDAS SIERRA,

Petitioner,

12 Civ. 8222 (PAE)

-v-

OPINION & ORDER

SUZANNE R. HASTINGS, WARDEN,
METROPOLITAN CORRECTIONAL CENTER,

Respondent.

PAUL A. ENGELMAYER, District Judge:

For the reasons stated on the record at the conference held on January 31, 2013, Sierra's petition for a writ of habeas corpus is denied.

Because Sierra's petition was filed pursuant to 28 U.S.C. §§ 2241 and 2242, the Court need not issue a certificate of appealability. *See* 28 U.S.C. § 2253(c); *Drax v. Reno*, 338 F.3d 98, 106 n.12; *Murphy v. United States*, 199 F.3d 599, 601 n.2 (collecting cases).

As directed by the Court at the January 31, 2013 conference, the parties are ordered to submit a joint letter to the Court by February 15, 2013, addressing the progress that has been made on the issues raised at that conference. That letter should reference the docket number in the related criminal case, *United States v. Sierra*, S4 11 Cr. 1032.

The Clerk of Court is respectfully directed to close this case.

SO ORDERED.

Paul A. Engelmayer
United States District Judge

Dated: February 1, 2013
New York, New York